

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SEARS IMPORTED AUTOS, INC.,

Civil No. 09-0356 (JRT/JJK)

Plaintiff,

v.

**ORDER FOR DISMISSAL
WITH PREJUDICE**

BMW OF NORTH AMERICA, LLC,

Defendant.

Based upon the Stipulation for Dismissal with Prejudice filed by the parties on October 7, 2009 [Docket No. 41], and upon all of the files, records and proceedings herein,

IT IS HEREBY ORDERED on the basis of the foregoing and for good cause appearing, that this case be **DISMISSED WITH PREJUDICE** with each party bearing its own costs and fees, including attorneys' fees.

DATED: October 7, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge